

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Michael A. Shipp
	:	
v.	:	Crim. No. 18-585 (MAS)
	:	
FAUSTO SIMOES	:	<u>CONTINUANCE</u>
	:	
	:	

This matter having come before the Court on the joint application of Craig Carpenito, United States Attorney for the District of New Jersey (by Vijay Dewan, Assistant United States Attorney and Charlie L. Divine and Kevin V. Di Gregory, Special Assistant U.S. Attorneys, appearing) and defendant Fausto Simoes (by John J. O'Reilly, Esq. and Courtney A. Johnson Santer, Esq.), for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have this matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to 18 U.S.C. § 3161(c)(1); and the defendant having consented to this continuance and having waived such right; and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) This case is an unusual or complex case within the meaning of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(ii), in light of: the number of defendants, the nature of the prosecution, and the financial transactions and

instruments involved, such that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within 70 days;

(2) The discovery in the case is voluminous, consisting of, among other things, bank records, phone records, tax records, financial contracts, financial records, and financial instruments, and additional time is necessary to ensure that, taking into account the exercise of diligence, defense counsel have sufficient time to review and inspect discovery and further investigate the charges in the matter;


(3) Defense counsel have requested additional time to prepare for trial in the light of the government's production of a Bill of Particulars on February 28, 2020;

(4) As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7)(A) and (h)(7)(B)(ii) and (iv), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 10th day of March, 2020,


ORDERED that this action be, and hereby is, continued under the Speedy Trial Act from the date this Order is signed through and including May 31, 2020; and it is further

ORDERED that the period from the date this Order is signed through and including May 31, 2020 shall be excludable in computing time under the Speedy Trial Act of 1974.




HON. MICHAEL A. SHIPP
United States District Judge

Form and entry consented to:



Vijay Dewan
Assistant U.S. Attorney
Charlie L. Divine
Kevin V. Di Gregory
Special Assistant U.S. Attorneys



John J. O'Reilly, Esq.
Courtney A. Johnson Santer, Esq.
Counsel for defendant Fausto Simoes